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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,906	12/10/2003	Michael T. McKibben	LEADPI01USA	5793

7590

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EXAMINER

ROSE, HELENE ROBERTA

ART UNIT	PAPER NUMBER
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2163

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/731,906	MCKIBBEN ET AL.	
	Examiner	Art Unit	
	Helene Rose	2163	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/10/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/27/05 & 7/26/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. Claims 1-37 are presented for examination.
2. Claims 1-37 have been rejected.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 7/26/2004 and 4/27/2005, accordingly, the information disclosure statement has been considered by the examiner.

Claim Rejections – 35 U.S.C – 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim Rejections – 35 U.S.C – 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
6. Claims 1, 16, 31 and 37 are rejected under 35 U.S.C. 101 because the claims are directed to a non-statutory subject matter.

The basis of this rejection is that no manipulation of data nor is there any transformation of data from one state to another state being performed in "A system that facilitates the association of data" and "A method that facilitates associating data"; therefore, there is no post-computer process activity found in the technological arts as it relates to the method and system that facilitates associating data. "A system that facilitates associating data" and "A method that facilitates that facilitates associated data is not a physical transformation". In which, there is no physical transformation being performed, thus no practical application is found. The claims do not appear to correspond to a specific machine or manufacture disclose within the specification nor cover any product of the class configured in any manner to perform

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the underlying process, in which, the claims analyzed based upon the underlying process and are rejected as being directed.

Examiner's Remarks that Applicant include claims 13 and 14, within claims 1, 16, and 37, wherein a computer and computer readable medium having stored thereon computer executable instructions for carrying out execution.

Claim Rejections – 35 U.S.C – 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by DeMesa et al. (US Publication No. 2004/0117393, Filing Date of Publication: December 03, 2003).

Claims 1,13-14 and 16:

Regarding claims 1, 13-14, and 16, DeMesa et al teaches a computer/computer readable medium/system that facilitates the association of data with a user context, comprising:

a data component that is associated with one or more data operations being performed on the data (page 3, section [0041]), data organization (page 2, section [0014] and page 5, section [0064], DeMesa), data processing (page 4, sections [0057] and [0058]), and data storage (page 3, section [0042] and [0043], DeMesa); and

a tagging component that automatically tags contextual information to the data when the data is created (page 4, section [0049], wherein selecting a components from the catalog application, select menu option to create new view for that component, or select edit view to edit a view, wherein the

developer/user is directed to catalog application, DeMesa).

Claim 2:

Regarding claim 2, DeMesa teaches wherein the contextual information is tagged to the data when the data is being saved (page 5, section [0063], wherein the process of adding an existing component as a member, the user/developer continues adding members to the component until he or she indicates that all members have been added, DeMesa).

Claim 3:

Regarding claim 3, DeMesa teaches wherein the contextual information is tagged to the data when the data is first saved (page 5, section [0063], wherein the user developer makes this indication by selecting a save component definition menu option, the client development client updates the catalog application to include the name and icon of the new component, DeMesa).

Claim 4:

Regarding claim 4, DeMesa teaches the contextual information is representative of the user context that is associated with a board (page 4, section [0050], wherein Microsoft dynamic data exchange is define to be automatically moving information between applications resident in memory via the clipboard, DeMesa).

Claim 5:

Regarding claim 5, DeMesa teaches wherein the contextual information is automatically tagged to any type of data created in association with the user context (page 5, section [0063], wherein the data type can be a primitive type such as integer, decimal number, Boolean value, text string, or date, or an existing component, wherein the process of adding an existing component as a member is displayed within Figure 10, wherein the users/developer continues adding an existing component as a member, the user/developer continues adding members to the component until he or she indicates that all members have been added, DeMesa).

Claim 6:

Regarding claim 6, DeMesa teaches the contextual information includes a link to a storage location of the data (page 4, section [0057], DeMesa).

Claim 7:

Regarding claim 7, DeMesa teaches the contextual information includes a link to a storage location of the data, which link is assigned to each user of the user context in which the data was created (Figure 9, all features, DeMesa).

Claim 8:

Regarding claim 8, DeMesa teaches the contextual information is associated with the user context, which user context is further associated with an application tool that is used to generate the data (Figure 2, diagram 244, wherein it the component builder allows a developer or user to create and edit components, DeMesa).

Claim 9:

Regarding claim 9, DeMesa teaches the application tool includes a pointer for each user associated with the user context (page 4, section [0057], DeMesa).

Claim 10:

Regarding claim 10, DeMesa teaches wherein the pointer points to a storage location of the data (Figure 2, diagrams 206 and 20, DeMesa).

Claim 11:

Regarding claim 11, teaches the data component monitors the data being created from one or more applications that perform data operations related to at least one of: telephony, unified messaging, decision support, document management, portals, chat, collaboration, search, vote, relationship management, calendar, personal information management, profiling, video, directory management, executive information systems (Figure 2 and Figure 3, all features, DeMesa), dashboards, cockpits, tasking, meeting and, web and video conferencing.

Claim 12:

Regarding claim 12, DeMesa teaches the contextual information includes context data that is representative of a user context, which context data is automatically tagged to the data (page 1, section [0013] and [0014], wherein each view is graphically representation of a corresponding component, and may include, graphs, charts, animations, and/or other types of graphical elements to represent the associated data collected by the component, if a first component is a member of a second component, a first view associated with that first component may be inserted into second view associated with second component such that the first view is automatically displayed as a subset of the second view, wherein the system allows multiple views to be defined for the same component and allows users to developers to build different views and so forth, DeMesa).

Claim 15:

Regarding claim 15, DeMesa teaches wherein a data management tool that employs the system (Figure 2, all features and page 2, section [0011 and 0012], describes a data management tool, wherein a data management tool is defined; page 3, section [0038], wherein a representation of modules of application environment, and the development environment, comprises multiple solution servers, clients and page 4, section [0053], wherein relationships between objects by visual arrangement of label and/or icons associated with represented objects and page 3, section [0041]), data organization (page 2, section [0014] and page 5, section [0064]), data processing (page 4, sections [0057] and [0058]), and data storage (page 3, section [0042] and [0043], DeMesa).

Claim 17:

Regarding claim 17, DeMesa teaches the contextual information includes a link to a single storage location of the data (REFER to claim 6, wherein this limitation has been addressed, DeMesa).

Claim 18:

Regarding claim 18, DeMesa teaches the contextual information includes a link to a storage location of the data, which link is assigned to each user of a context in which the data was created (REFER to claim 7 wherein this limitation has been addressed, DeMesa).

Claim 19:

Regarding claim 19, DeMesa teaches the contextual information is associated with a context that is further associated with an application tool that generates the data, the application tool includes a pointer for each user associated with the context (page 2, section [0016], wherein each component is represented by a respective node or icon, wherein a user selects a node and view the associated data collected by that instance, DeMesa).

Claim 20:

Regarding claim 20, DeMesa teaches the pointer points to the only storage location of the data (REFER to claim 10, wherein this limitation has already been addressed, DeMesa).

Claim 21:

Regarding claim 21, DeMesa teaches the pointer is generated with a read-only access (page 4, section [0057], wherein run time retrieval of point data retrieves only the set or subset of point data that is requested by the displaying view, and only when requested, wherein by displaying view is interpreted to be read only access, DeMesa).

Claim 22:

Regarding claim 22, DeMesa teaches the one or more data operations cause updating of at least one of the contextual information and the data (page 5, section [0063], wherein the client development client updates the catalog application to include the name and icon, and sends the new component definition to the component table in the enterprise component, DeMesa).

Claim 23:

Regarding claim 23, DeMesa teaches the contextual information includes at least one of web ID, a board ID, a transversal to the location of the data, and parameters representative of the one or more data operations that can be performed on the data (page 3, section [0039], wherein a component may be comprised of identification number and page 2, section [0016], wherein a navigation tree a user may select a node, i.e. component instance, and wherein a navigation tree uses an web browser, DeMesa).

Claim 25:

Regarding claim 25, DeMesa teaches wherein tagging the contextual information to the data when the data is first being saved (REFER to claim 2, wherein this limitation has already been addressed, DeMesa).

Claim 26:

Regarding claim 26, DeMesa teaches wherein the contextual information is updated only after the data is has first been saved (REFER to claim 3, wherein this limitation has already been addressed, DeMesa).

Claim 27:

Regarding claim 27, DeMesa teaches tagging the contextual information to the data in accordance with a backup operation (page 1, section [0011], wherein the class base component and view model is within a system that uses reusable components and view to monitor operations, pages 5-6, sections [0066] and [0067], wherein the back-end environment is defined, DeMesa).

Claim 28:

Regarding claim 28, wherein linking one or more users of the user context to the data using the contextual information (page 6, section [0072], wherein the connection specification for each component member of the solution is stored in the component instance table and the name and the description of the solution are stored in the solution table, DeMesa).

Claim 29:

Regarding claim 29, DeMesa teaches wherein one or more users are granted at least read access to the data (page 2, section [0016], wherein a user can select a node, i.e. component instance, and view the associated data collected by that instance, if multiple views have been defined for an associated component, the user can select between these alternative views, wherein the users can access the navigation tree using ordinary web browser, DeMesa).

Claim 30:

Regarding claim 30, DeMesa teaches encoding the location of the stored data such that the encoded location is processed to access the stored data (page 1, section [0011], wherein the class base

component and view model is within a system that uses reusable components and view to monitor operations, which is equivalent to encoded; page 5, section [0059], wherein downloading applets, the browsing terminals displaying the views for display, the views defined by server, wherein if user are given access they may edit and create components wherein encode is defined to be convert data to machine-readable format and wherein an applet is defined to be applet to display scrolling text in a specific area, or animations, wherein this is equivalent to encoded; page 3, section [0041], wherein the animation module is defined, DeMesa).

Claim 32:

Regarding claim 32, DeMesa teaches wherein the user and the one or more other users are associated with a user context of the user (page 6, section [0071] and section [0072], wherein if the user/developer indicates he/she has completed connecting members to back-end data, then the solution builder proceeds, DeMesa).

Claim 33:

Regarding claim 33, DeMesa teaches wherein linking the data with the one or more other users of other respective user contexts (REFER to claim 28, wherein this limitation has already been addressed, DeMesa)

Claim 34:

Regarding claim 34, DeMesa teaches wherein the data is linked using a webslice (page 3, section [0036]; page 4, section [0050], wherein Microsoft dynamic data exchange is define to be automatically moving information between applications resident in memory via the clipboard, which is interpret to be the webslice, section [0051], wherein each connector has an associated connector type such as DDE, Oracle, and so forth, DeMesa).

Claim 35:

Regarding claim 35, DeMesa teaches wherein the user is linked to the data from another context to which the user has access (page 4, section [0048], wherein access is granted, which is when a user is able to create and modify components and further defined on page 5, section [0059], wherein from the browsing terminals user can select one or more existing views for display, but cannot update components

views or solutions, if the user is given access they can create and edit components, views, and solutions from the development clients, DeMesa).

Claims 24, 31 and 36:

Regarding claims 24, 31 and 36, discloses a method/computer readable medium utilizing the same functionality.

DeMesa teaches a method/computer-readable medium having computer-executable instructions for performing a method that facilitates associating data with a user, the method comprising:

providing a collaboration data management tool for at least many-to-many functionality (Figure 2, all features and page 2, section [0011 and 0012], describes a data management tool, wherein a data management tool is defined; page 3, section [0038], wherein a representation of modules of application environment, and the development environment, comprises multiple solution servers, clients and page 4, section [0053], wherein relationships between objects by visual arrangement of label and/or icons associated with represented objects, DeMesa), the tool facilitates data operations on data related to at least one of data communications (page 3, section [0041]), data organization (page 2, section [0014] and page 5, section [0064]), data processing (page 4, sections [0057] and [0058]), and data storage (page 3, section [0042] and [0043], DeMesa);

performing one or more data operations on the data (see abstract, wherein many different components and view may be defined and deployed to build an informational model of business entity such as business that operates processing or manufacturing plants in various locations, DeMesa);

automatically tagging contextual information related to the user to the data (Figure 13, wherein production is illustrated along with the production inventory items, which is equivalent to a data content related to a user, DeMesa);

updating the contextual information based upon the one or more data operations (page 4, section [0054], wherein a develop or user may update the solution through a menu option, wherein this action updates the solution to include the latest changes to components); and

linking the user with the location of the data (page 7, section [0077], wherein animation contain references to component members that are linked through a solution to collect data from back-end data sources).

Claim 37:

Regarding claim 37, DeMesa teaches a system that facilitates the association of data with a user context in a many-to-many data regime data (page 2, section [0014], wherein different people within a business organization may demand different views that connect to the same data; section [0016], wherein using the navigation tree, a user can select a node, i.e. component instance, and view the associated data collected by that instance, if multiple views have been defined for an associated component the user can select between the alternative views and page 3, section [0039], wherein a component is a reusable software resource that contains and represents information associated with a data source such as a business entity, wherein a component may represent a collection and by using components to represent business elements the system facilitates user understanding in term of the business process, DeMesa) comprising:

means for performing one or more data operations on the data (see abstract, wherein many different components and view may be defined and deployed to build an informational model of business entity such as business that operates processing or manufacturing plants in various locations, DeMesa);

means for automatically tagging to the data contextual information related to the user context (Figure 13, wherein production is illustrated along with the production inventory items, which is equivalent to a data content related to a user, DeMesa);

means for updating the contextual information based upon the one or more data operations (page 4, section [0054], wherein a develop or user may update the solution through a menu option, wherein this action updates the solution to include the latest changes to components, DeMesa); and

means for linking the user with the location of the data (page 7, section [0077], wherein animation contain references to component members that are linked through a solution to collect data from back-end data sources, DeMesa).

Prior art of Record

(The prior art made of record and not relied upon is considered pertinent to applicant's disclosure)

1. Murphy et al. (US Patent No. 5,488,686) discloses a data processing system which defines a plurality of logical workspaces for performing task in response to operations performed by a system user and provides communication between two or more of the workspaces.
2. McKelvie et al. (US Publication No. 2003/0217096) discloses a network-based messaging system comprises multiple users in a real time using, for example, an XML document synchronization model.
3. DeMesa et al (US Patent No. 6,700,590) discloses a system and method for retrieving and presenting data using class-based component and view model.
4. Meyerzon et al (US Patent No.) discloses computer base method and system for processing data obtained from documents retrieved from a computer network during a gathering project.

Point of Contact

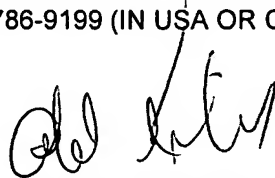
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Rose whose telephone number is (571) 272-0749. The examiner can normally be reached on 8:00am - 4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helene Rose
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May 30, 2006



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